

REMARKS/ARGUMENTS

Initially, Applicants would like to express appreciation to the Examiner for the detailed Official Action provided, for the acknowledgment of Applicants' Information Disclosure Statement by return of the Form PTO-1449, and for the acknowledgment of Applicants' Claim for Priority and receipt of the certified copy of the priority document in the Official Action. However, Applicants note that the Examiner has not acknowledged that the drawings are acceptable, and it is requested that the Examiner indicate the same in the next Official Action.

Upon entry of the above amendments, claims 1-9 will have been amended, and claims 10-12 will have been added. Claims 1-12 are currently pending. Applicants submit that claims 1-9 have been amended merely for clarification purposes and to conform with amendments made to preceding claims. Applicants respectfully request reconsideration of the outstanding rejections, and allowance of all the claims pending in the present application.

In the Official Action, the Examiner objected to the Specification because (in the Examiner's Opinion) the title of the invention is non-descriptive. Applicants submit that the title of the present invention has been amended in order to provide further description. Accordingly, Applicants submit that the objection to the Specification is moot and should be withdrawn.

In the Official Action, the Examiner rejected claims 1, 4 and 7-8 under 35 U.S.C. § 102(b) as being anticipated by JP Doc. No. 11-1176516 to YAMATO ("YAMATO").

Without acquiescing to the propriety of the Examiner's rejection, Applicants have amended independent claim 1 solely in order to more clearly recite the presently claimed invention and to expedite prosecution of the present application.

In this regard, Applicants submit that the YAMATO lacks any disclosure of at least the combination of elements as recited in claim 1.

In particular, claim 1 sets forth a card connector including, inter alia, a body comprising: a base, a shell having a stopper provided at a first side-face of the body, and a recess configured to receive a card having a plurality of contact terminals exposed on a surface of the card, wherein the base comprises a bottom face of the recess; and a predetermined clearance being provided between a side-face of the base and the stopper of the shell.

Applicants submit that the YAMATO lacks any disclosure of at least the above-noted combination of elements.

In setting forth the rejection, the Examiner asserts that YAMATO discloses the presently claimed card connector.

Contrary to the presently claimed invention, Applicants submit that the device of YAMATO is very different structurally from the presently claimed invention. In particular, Applicants submit that the base 1a of the device of YAMATO is formed continuously with the side-wall (see, Figures 1 and 3 of YAMATO).

This is in direct contrast to the presently claimed invention which recites a clearance being provided between a side-face of the base and the stopper of the shell.

Applicants submit that the presently claimed clearance has at least one advantage in that when inserting a card into the recess of the body the clearance may provide a

space configured to allow rotation of, e.g., a front end of the card, thereby facilitating the insertion of the card into the recess (see, paragraph [0036] on page 20 of the present Application). Thus, Applicants submit that insertion of the card in the presently claimed invention is not prevented or inhibited by engagement between an end of the card and a bottom surface of the recess, as would be the case in YAMOTO.

Additionally, Applicants submit that by providing the card with the presently claimed clearance, it is possible to retain a sufficient length of the stationary hooking portions, so that the front end of the card is firmly held along substantially its entire length when the card is inserted into the recess of the card connector.

Thus, Applicants submit that YAMOTO does not disclose at least the presently claimed clearance being provided between a side-face of the base and the stopper of the shell, as generally recited in amended claim 1.

Accordingly, the rejection of claims 1, 4, and 7-8 under 35 U.S.C. § 102(b) is improper and should be withdrawn.

In the Official Action, the Examiner rejected claims 2, 3, 5, 6 and 9 under 35 U.S.C. § 103(a) as being unpatentable over YAMATO in view of TANAKA et al. (U.S. Patent Publication No. 2005/0021649)

Applicants respectfully traverse the rejection under 35 U.S.C. § 103(a).

Initially, Applicants submit that in order for Tanaka to qualify as prior art under 35 U.S.C. § 103(a), Tanaka must first qualify as prior art under 35 U.S.C. § 102. In this regard, Applicants respectfully submit that TANAKA et al. does not qualify as prior art because Tanaka fails to meet the requirements set forth in 35 U.S.C. §§ 102(b) and 102(e).

More specifically, 35 U.S.C. § 102(b) requires that the invention be “patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, **“more than one year”** prior to the date of the application for patent in the United States.” Applicants submit that the Tanaka et al was published on October 6, 2005 which is less than one year from the August 3, 2006 filing date of the present Application. Therefore, Applicants submit that Tanaka et al. does not qualify as prior art under 35 U.S.C. § 102(b).

Further, 35 U.S.C. § 102(e) requires that the invention be described in an application for patent, published under section 122(b), by **“another”** filed in the United States before the invention by the applicant for patent. Applicants submit that the present Application has the same “inventive entity” as the Tanaka et al. (i.e., the inventors of the present Application are also Hirohisa Tanaka and Toshihiro Yamamoto). Therefore, it is submitted Tanaka et al. does not qualify as prior art under 35 U.S.C. § 102(e).

Because Tanaka does not qualify as prior art under 35 U.S.C. §§ 102(b) and 102(e), Tanaka cannot be applied in a rejection under 35 U.S.C. § 103(a). Accordingly, the Examiner is respectfully requested to withdraw the above-noted rejection of claims 2, 3, 5, 6 and 9 under 35 U.S.C. § 103(a), and indicate the allowability of these claims.

Applicants also submit that newly added claims 10-12 recite additional features of the presently claimed invention and are supported by at least Figures 3 and 4 of the present Application.

In view of the herein-contained remarks, Applicants submit that independent claim 1 is in condition for allowance. With regard to dependent claims 2-9, as well as newly-added dependent claims 10-12, Applicants assert that they are allowable on their

own merit, as well as because of their dependencies from independent claim 1, which Applicants have shown to be allowable.

Thus, it is respectfully submitted that all of the claims in the present application are clearly patentable over the references cited by the Examiner, either alone or in combination, and an indication to such effect is respectfully requested, in due course.

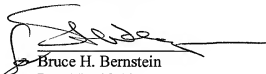
SUMMARY

Applicants submit that the present application is in condition for allowance, and respectfully request an indication to that effect. Applicants have argued the allowability of the claims and pointed out deficiencies and inapplicability of the applied references. Accordingly, reconsideration of the outstanding Official Action and allowance of the present application and all the claims therein are respectfully requested and is now believed to be appropriate.

Applicants note that this amendment is being made to advance prosecution of the application to allowance and should not be considered as surrendering equivalents of the territory between the claims prior to the present amendment and the amended claims. Further, no acquiescence as to the propriety of the Examiner's rejection is made by the present amendment. All other amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
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